Dear Jim, Recent declassifications/internal correspondence 8/6/75

As Leisinger's letter had promised, yesterday I received some of the internal correspondence for which I'd asked. As I'd suspected, it was a selective delivery. I read their semantics correctly: they responded with some only. In advance, in the long letter trying to get him to avoid my having to appear over spurious withholdings invocations of the law, I asked for those I suspected then were not coming.

I got quite tired yesterday and wound up unable to keep my eyes open. I read these documents and fell asleep over some clippings.

One thing is clear: there was no voluntary declassification of the 1/22 transcript and we were responsible for it. The decision was made to declassify rather than face another 2052-73 suit. I believe a fiar interpretation of the relevant record that is here is that with that suit we forced a reconsideration of a number of decisions. And some positions. This may be reading too much into it. I think it is possible.

I got a Nosenko page that may have been withheld by accident by also happens to be a page embarrassing to the official story, a summary page.

There is a case where the CIA took months to respond to a simple Archives request on this. The letter was by Young.

I am to hear from the CIA. Archives is withholding the list of documents about which Archives asked CIA as internal communications. I think this should be challenged. Fairly rapidly. I'll do it as soon as I have enough to go on. I may just file a blankst appeal based on Leisinger's letter, phrased to make it conditional upon his response. I'll think about it when I can. I'm just trying to uplate you until I can make copies for you. Not for your immediate consideration. Other things are more important in your time allocations now.

In three cases I got Johnson's handwritten notes to others. They may have had no better records. Those he dealt with included Dooley. (Arthur)

In short, I'm saying this small sample can confirm my Jeff-Mutt figure. They do react and I think it is from the record of willingness to pursue.

In response to my request for the records of classification and edclassification they sent me sheets of numbers submitted for consideration and the response, which in no case identifies a single Nosenko document as such and in no case responds in these terms. There is no case of a reason being given for withholding any of these Nosenko documents except that with the smaller CIA sheaf I have not checked each out and probably can't without the missing list. Where they have voluntarily given me the FBI list and withheld the CIA one, I think their situation on an appeal is not a good one if they base it on the exemption, as they seem to have.

In one or some cases the CIA refers to the protection of sources. If this is Nosenko there is no case at all and there has to be a different reason. One question I have is must the Archives without question abide by an agency's decision or desire? Even when they know it is spurious? Don't take time to answer. I mean to inform only. I'll raise this question anyway. But I'll have a lot of work making comparisons.

I've learned that all those early slip sheets on withholding attributed to a letter from Norbert Schlei means that this guy, then in the DJ Office of Legal Counsel, wrote a short letter with an attached list. Those he did not authorize letting out by marking the list are the ones referred to by this slip sheet. He did not write a letter or give a reason on each.

This also indicates what we could accomplish if we were more than two and/or if those who are takers and self-seekers could be unselfish workers. Best,